

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:09-cv-514-FDW-DSC**

FIRST UNION RAIL CORPORATION,

Plaintiff,

vs.

**US RAIL CORPORATION (f/k/a THE
GREAT MIAMI & SCIOTO RAILWAY
COMPANY),**

Defendant.

ORDER

THIS MATTER is before the Court, *sua sponte*, regarding the status of the case. The Court has been advised that the parties have settled all matters in controversy among them. Therefore, this matter is DISMISSED subject to the right of any party to file a motion to reopen the case should settlement not be consummated by April 30, 2010. All pending motions are TERMINATED. The parties are directed to file their Stipulation of Dismissal on or before April 30, 2010.

IT IS SO ORDERED.

Signed: March 30, 2010



Frank D. Whitney
United States District Judge

